

# COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI

2019 JUL -1 P 4: 58

(Full name of plaintiff(s))

Devon Bean

v.

(Full name of defendant(s))

Erik Maldonado

Hector Sosa

Alfonso Morales

Case Number:

**19-8-0954**

(to be supplied by Clerk of Court)

## A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at  
(State)

216 W. Center Street, Juneau, WI 53029  
~~949 N 9th Street Milwaukee Wis 53233~~  
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendants Erik Maldonado & Hector Sosa  
(Name)

is (if a person or private corporation) a citizen of Wisconsin

(State, if known)

and (if a person) resides at Unknown

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for District 5 police dept 2920 VEL R. Phillips Ave Mil, Wis 53212

(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Defendants Erik Maldonado Police Officer and Hector Sosa Police Officer unlawfully seized and searched plaintiffs Devon Bean's vehicle without probable cause on September 26, 2018, at 1432 West Locust St. Milwaukee Wis. The defendant's actions were taken with malicious intent and in violation of the plaintiffs Fourth amendment rights guaranteed against unreasonable searches and seizures. The defendant Erik Maldonado police actions were pretextual in light of the alleged traffic stop do to the plaintiffs past unlawful encounters with defendant Erik Maldonado police officer. Case Number 183590030.002 CAD Number 183590309 regarding the plaintiff and the same vehicle and defendant Erik Maldonado. The defendant Erik Maldonado Police Officer sole reason to stop

*the plaintiff unreasonably were a subterfuge devised with malicious intent.*

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$\_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

The plaintiff would request the court to place injunction relief upon the defendant's police officers to stop harassing the plaintiff by targetting and framing the plaintiff with manufactured evidence to unduly frame and convict the plaintiff. The plaintiff also ask the court to order the defendant's police officers to award plaintiff punitive damages and monetary relief in the sum of 6.3 million dollars to which the plaintiff maybe entitled from the defendant's which were acting under color of state law and who both Knowingly violated the law by willfully violated plaintiff's constitutional rights.

(State, if known)

and (if a person) resides at Unknown

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Milwaukee Police Department 749 W. State Street Mil, WI 53233  
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Defendant Alfonso Morales Police Chief failure to train its employees  
evidences a "deliberate indifference" to the rights of the plaintiffs.  
Violated plaintiff's rights, and constituted cruel and unusual punishment  
under the Eighth Amendment of the United States Constitution. Defendant  
Alfonso Police failure to properly train its subordinates officers and  
to act affirmatively at all, so long as the need to take some action to  
control the agents of the Government "is so obvious, and the inadequacy  
of existing practice so likely to result in the violation of constitutional  
rights, that the policymaker can reasonably be said to have been delib  
erately indifferent to the need." Canton v. Harris, 489 U.S. 378, 390,  
109 S.Ct. 1197, 1205, 103 L.Ed. 2d 412 (1989). Where, in the most

obvious example, the policymaker sits on his hands after repeated, unlawful acts of subordinate officers and that failure "evidence a 'deliberate indifference' to the rights of inhabitants," *Id.*, at 389, 109 S. Ct., at 1205, the policymakers' toleration of the subordinates' behavior establishes a policy-in-practice just as readily attributable to the municipality as the one-act policy-in-practice. Such a policy choice may be inferred even without a pattern of acts by subordinate officers, so long as the need for action by the policymaker is so obvious that the failure to act rises to deliberate indifference. *Id.*, at 390, n. 10, 109 S. Ct., at 1205, n. 10.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this June day of 26 2019.

Respectfully Submitted,

Devon L. Beah  
Signature of Plaintiff

~~20190000606~~ 1000232  
Plaintiff's Prisoner ID Number

~~Milwaukee County Jail~~ Dodge County Detention -  
949 W 9th Street, Milwaukee, WI 53233  
216 W Center St Jundev, WI 53039 Facility  
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.